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MICHAEL P. JUDGE
PUBLIC DEFENDER

TO: ALL STAFF

FROM: MICHAEL P. JUDGE
Public Defender *MAJ*

DATE: January 30, 2004

RE: MINUTES - EXPANDED STAFF MEETING

The Expanded Staff Meeting for the Public Defender's Office was held on January 8, 2004. The following are members:

Michael P. Judge	Verah Bradford	Wendy Edmisten
Robert E. Kalunian	Gregory Fisher	Mark Lessem
Lon Sarnoff	Diane Parris	Mike Demby
John Vacca	Steve Hobson	Marvin Isaacson
Ronald Brown	Marilyn Turner	Geneva Phillips
Mike Concha	Alan Abajian	Charlie Klum
Ron Yorizane	Stu Glovin	Stan Shimotsu
Winston Peters	Corrine Cortinas	John Brock
Bernice Hernandez	Joan Croker	Cheryl Jones
Rudy Rousseau	Janet Yarbrough	Mark Windham
Bill Weiss	Bob Hall	Leslie Sterns
John Martinez	Doug Love	Clyde Juloya
Laura Green	Bobby Gil	Paula Montez
Kelly Emling	John Gonzales	Patricia Aguilar
Lita Jacoste	Darolyn Jensen	Haydeh Takasugi
Karen Thompson	Ron White	Dennis Yamamoto
Allen Adashek	Carole Clem	Patricia DeLaGuerra
Albert Menaster	Ramon Quintana	Robert Johnson
Elaine Palaiologos	Vicky Russell	Carol Whyte

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The January 8, 2004 Expanded Staff Meeting was chaired by Public Defender Michael P. Judge.

Prior to discussing office business, Mr. Judge introduced and welcomed Carolyn Gray to the Expanded Staff Meeting. Ms. Gray was recently appointed Acting Lieutenant Investigator.

Lieutenant Doug Love will retire from the office on February 12, 2004. Mr. Judge took this opportunity to thank Mr. Love for his many years of dedicated service to the office and to the County of Los Angeles.

The following topics were discussed:

GENDER, RACIAL & CULTURAL ADVISORY BODY - Michael P. Judge

To continue proactive efforts of the Public Defender to address issues regarding the elimination of racial and gender bias, Mr. Judge has established on a permanent basis a Culture, Race and Gender Advisory Body. The Body is comprised of a diverse group of staff members from a variety of job classifications. It is anticipated that membership will change as participants availability fluctuates, therefore, all staff members are invited to volunteer for service on the Body. The group members will select their own chair and structure. Chief Deputy Robert E. Kalunian will serve in an "of counsel" capacity, providing input regarding County and Departmental policies and practices, and Special Counsel Paula Montez will serve as an advisor, providing input regarding organizational and process issues. To facilitate open and frank discussions among the group members, Mr. Judge has determined that there be no attorney managers serving on this advisory body.

EMPLOYEE EXIT CHECK-OUT - Marilyn Turner

Ms. Turner clarified the Department's internal Employee Exit Clearance Process and Procedures for employees terminating/separating from the Department. The Department's exit clearance process is **mandatory** for all employees terminating, i.e., resigning, retiring, transferring to another County Department. As part of the process, employees are required to complete the Employee Property Clearance and Notice of Termination/Transfer forms. Ms. Turner distributed copies of the Instructions for Completing the Employee Property Clearance/required forms, which must be completed and submitted **on or before an employee's last working day.**

The departmental Employee Exit Clearance Process begins at the employee's work location with the immediate supervisor signing-off on the Employee Property Clearance form regarding property/items issued on site, including any computers*, related-equipment, etc. The employee must then *personally* report to the Department's Headquarters to secure confirmation of compliance with the Employee Property Clearance form and to obtain additional custodial signatures for various other listed items and submit it with the completed Notice of Termination/Transfer. (The signatures/sign-offs must be obtained even though the listed items may not have issued or have been lost/stolen.)

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It is recommended that an appointment be made with Human Resources Division staff to ensure the appropriate individuals, including staff in Fiscal Services/Management Services, are available to perform the sign-offs. The completed forms are then submitted to the Human Resources Division for final processing. **Please note:** Failure to submit accurate and complete forms on or before the last day of employment may result in the delay of an employee's final/outgoing pay.

The Instructions, Exit Property Clearance and Notice of Termination/Transfer forms, which are forwarded to the employee's immediate supervisor, will also be available on the PDWeb .

* A separate internal clearance form is being developed by the Information Systems Division.

DA CASE SETTLEMENT POLICY AMENDMENT RE CRIMINAL CONVICTION COLLATERAL CONSEQUENCES - Robert E. Kalunian

Mr. Kalunian distributed copies of Special Directive 03-04, dated September 25, 2003, that he received from the District Attorney's Office. The Directive allows a DDA to consider the collateral consequences of a conviction in case resolution. It recognizes that in some instances the collateral consequences have a much more severe impact upon the life of the defendant than do the penal consequences. It sets forth the procedure a DDA must use in departing from their normal dispositional policies.

The Felony Case Settlement Policy in the District Attorney's Legal Policies Manual includes a provision authorizing a departure from policy when 'unusual or extraordinary circumstances exist which demand a departure in the interest of justice.' The Misdemeanor Case Settlement Policy includes a similar provision.

Unusual or extraordinary circumstances that may justify a departure from policy include circumstances that will result in indirect or collateral consequences to the defendant in addition to the direct consequences of the conviction and, therefore, may result in the punishment not fitting the crime.

A copy of District Attorney Special Directive 03-04 will be posted on the PDWEB.

PLAIN ENGLISH CRIMINAL JURY INSTRUCTIONS - Al Menaster

There is a Task Force for Criminal Jury Instructions, which is drafting plain English jury instructions. The third set of such instructions is about to be released for comment. Mr. Menaster and a selected group will work on this project for the office. Mr. Menaster explained that the deadline for comment is April 30th. The proposed instructions will be posted on PDWEB, with a notice on PDNET, to solicit input from the trial lawyers on any instructions on which they have an interest. Interested staff should contact Mr. Menaster, who will direct the contact to the person actually working on the specific instruction.

CACJ/CPDA CAPITAL CASE DEFENSE SEMINAR - John Brock

The 2004 CACJ/CPDA Capital Case Defense Seminar will be February 13-16, 2004 at the Monterey Conference Center. The conference brochure is on the PDWeb under "Important Notices." Many of our attorneys regularly attend this conference and recognize the significant learning opportunity it presents. Deputy Public Defender IVs should make every effort to attend.

There is a 15% discount for groups of 5 or more from the same office. The deadline for this discount is **January 23, 2004**, which is significantly earlier than in the past. No one from this office should pay more than the discounted price unless they fail to meet the application deadline. Registration material may be sent to Jim Coady for forwarding to CACJ. Mr. Coady will need to have your material by **January 20th** for it to be included. Jennifer Friedman also has arranged with CACJ to accept single applications from members of this office. You may also simply send your application directly to CACJ with a letter on department stationery expressly stating that you are in the Los Angeles County Public Defenders Office and wish to be part of our group. Applications will have to be received by CACJ by **January 23rd**. Please make your plans to attend this conference now. Hotel information is included in the brochure. Getting a room can be a problem if you wait too long.

ACCESS TO COURTHOUSES BY HANDICAPPED AND DISABLED - Robert E. Kalunian

Mr. Kalunian distributed copies of a two-page memo from the Chief Administrative Office regarding open doors in courthouses.

As part of the settlement negotiations with plaintiffs in a lawsuit regarding access for disabled individuals in County courthouses, the Federal Court has instructed the County and the Superior Court to block open during business hours all excessively heavy interior doors to public rooms other than courtrooms and restrooms, subject to fire and safety regulations.

The second page of the memo lists the names of the Facilities Services Coordinators that are responsible for the courthouse at specific locations. If there is a questions as to whether a door is "excessively heavy," the coordinator for the specific location should be contacted. Managers were requested to survey their locations to ensure compliance.

SUPERVISING LOSA SURVEYS STILL OUT - Ronald White

Mr. White announced that Supervising LOSA position review survey / questionnaires were sent out on November 19, 2003 with instructions that they be completed and returned to Mr. White by December 22, 2003. Many questionnaires, however, have not been returned. Mr. White explained this is not a Public Defender survey, but one approved by the Department of Human Resources as part of the ongoing Countywide Classification Maintenance Program. He requested any further concerns be directed to his office and that the surveys be completed/returned by the end of January.

POST HOLIDAY CELEBRATION PARTY - Carol Whyte

Carol Whyte, President of the Black Public Defender's Association, announced that the association will have a post-holiday celebration party on Thursday, January 29, 2004, from 5:30 p.m. to 8:00 p.m. The party will be at the Epicentre on Second Street in downtown Los Angeles. The price is \$25.00 and the invitation is open to all staff.

The next scheduled meeting will be on **FEBRUARY 12, 2004** at 2:00 p.m. on 19th Fl. of CSFCJC

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